



NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES

Attorney Docket No.:
CHEM1100

TECH CENTER 1600/2800

MAY 15 2002

RECEIVED

#12

5801 COPY OF PAPERS
ORIGINALLY FILED



In re Application of:
Jay Leng

Application No:
09/559,874

Filed:
April 25, 2000

For: CELL PROLIFERATION ASSAY

Group Art Unit: 1642

Examiner: S. Rawlings

Applicants hereby appeal to the Board of Appeals from the decision dated October 31, 2001 of the Examiner rejecting claims 1-48 and 63-68.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	\$320.00
	<input checked="" type="checkbox"/>	small entity	\$160.00

2.	X	A petition and fee for an extension of time for reply to the rejection is attached.						
X	Extension Fee (37 C.F.R. 1.17(a))							
		Other than small entity						
		\$110.00		\$400.00		\$920.00		\$1,440.00
	X	Small entity						
		\$55.00		\$200.00	X	\$460.00		\$720.00

05/09/2002 GTEFFERA 00000121 09559874

02 FC:219

160.00 OP

Applicants:

Jay Leng

Application No.: 09/559,874

Filed: April 25, 2000

Page 2

PATENT

Atty. Docket No.: CHEM1100

RECEIVED

MAY 15 2002

TECH CENTER 1600/2900

3.	X	Enclosed is a check in the amount of \$620.00 (\$160.00; to file the Notice of Appeal and \$460.00 or the Three (3) Month Extension of Time fee). The Commissioner may charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account No. 50-1355.
----	---	---

April 29, 2002

Date



Lisa A. Haile, Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1100

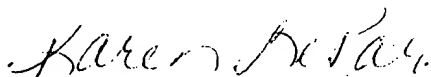
San Diego, California 92121-2133

CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **April 29, 2002**, addressed to: Box AF, Commissioner for Patents, Washington, D.C. 20231.

Karen LePari

(Name of person mailing paper)



Signature

April 29, 2002

Date